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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF NEW YORK

Case No. 13-10268-reg

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In the Matter of:

WINECARE STORAGE LLC,

Debtor.

- - - - -x

United States Bankruptcy Court

One Bowling Green

New York, New York

September 18, 2014

10:01 AM

B E F O R E:

HON. ROBERT E. GERBER

U.S. BANKRUPTCY JUDGE

1 13-10268-reg WineCare Storage LLC Ch. 7
2 HEARING re Application Filed by Warren E. Agin, as Consumer
3 Privacy, for Allowance of Compensation and Reimbursement of
4 Expenses

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1 A P P E A R A N C E S :

2 MEYER, SOUZZI, ENGLISH & KLEIN, P.C.

3 Attorneys for the Chapter 7 Trustee

4 990 Stewart Avenue

5 Garden City, NY 11530

6

7 BY: JILL MAZER-MARINO, ESQ.

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9 SWIGGART & AGIN LLC

10 197 Portland Street

11 Fourth Floor

12 Boston, MA 02114

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14 BY: WARREN E. AGIN, ESQ.

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P R O C E E D I N G S

THE COURT: WineCare Storage. Ms. Mazer-Marino, good morning. Anybody else appearing on this today?

MR. AGIN (TELEPHONICALLY): Warren Agin. I'm on the telephone.

THE COURT: Oh, okay.

MR. AGIN: Privacy ombudsman.

THE COURT: All right. Mr. Agin, this is, as I understand it, your application. I don't understand it to be opposed but Ms. Mazer-Marino is up here at the bench.

MR. AGIN: Ms. Mazer-Marino --

THE COURT: Who's going to speak first?

MR. AGIN: -- I'm just pointing out that I had a typo in the application. The fees that are being requested are \$5698.50 and expenses of 39.60 which totals \$5,738.10. And in one spot on the application, I think in paragraph 4, I accidentally list \$5738.10 as to the amount of the fees. I also noticed that in the summary sheet, I list the lode star as the ubiquitous \$5738, but the actual lode start amount was \$6,307.50. There's a small amount of time that I was not charging for.

We -- but Ms. Mazer-Marino has the correct numbers and I understand that she'll have a form of order that has the correct numbers on them.

THE COURT: Okay. Ms. Mazer-Marino?

1 MS. MAZER-MARINO: For the record, Jill Mazer-Marino,
2 Chapter 7 trus --

3 THE COURT: Forgive me. I don't know what it is with
4 the microphones today. I might be able to tune them up higher
5 but will you pull that mic closer to you, please, Ms. Mazer-
6 Marino.

7 MS. MAZER-MARINO: Absolutely.

8 THE COURT: Or even lift it up Oprah Winfrey style.

9 MS. MAZER-MARINO: Okay. That's the first time I've
10 ever had to lift up a microphone.

11 THE COURT: I feel your pain. Go ahead, please.

12 MS. MAZER-MARINO: For the record, Jill Mazer-Marino,
13 Chapter 7 trustee for WineCare. I have no objection to Mr.
14 Agin's fee app. The numbers, as Mr. Agin stated on the record,
15 are correct and we'll be submitting an order of -- assuming
16 that Your Honor approves his fee application.

17 I just wanted to add that Mr. Agin's services were
18 reasonable necessary and helped effectuate the sale of the
19 debtor's business.

20 THE COURT: Okay. Well, thank you, Ms. Mazer-Marino.
21 Mr. Agin, your application's approved.

22 MR. AGIN: Thank you.

23 THE COURT: And has a form of order, and if I was just
24 told this, forgive me, been agreed upon between the two of you
25 folks?

1 MS. MAZER-MARINO: Yes, Your Honor. And I'll be
2 e-mailing a form of order to chambers.

3 THE COURT: Okay. Copy Mr. Agin on the e-mail
4 transmission. Give me a representation in the e-mail that both
5 sides have agreed that this should be the form of order and
6 I'll sign it as soon as I've got it.

7 MS. MAZER-MARINO: Certainly. Thank you, Your Honor.

8 THE COURT: Okay.

9 MS. MAZER-MARINO: And thank you for taking me out of
10 order.

11 THE COURT: Thank you. Okay. Mr. Agin, you can drop
12 off the line if you care to and have a good day.

13 MS. MAZER-MARINO: Thank you. You, too.

14 MR. AGIN: Thank you.

15 (Whereupon these proceedings were concluded at 10:04 a.m.)
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R U L I N G S

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DESCRIPTION

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Fee application of Warren Agin, consumer

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privacy ombudsman, granted

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C E R T I F I C A T I O N

I, Lisa Beck, certify that the foregoing transcript is a true
and accurate record of the proceedings.

Lisa Beck

Digitally signed by Lisa Beck
DN: cn=Lisa Beck, o, ou,
email=digital1@veritext.com,
c=US
Date: 2014.09.22 12:50:32 -04'00'

Lisa Beck (CET**D 486)

AAERT Certified Electronic Transcriber

Veritext

330 Old Country Road

Suite 300

Mineola, NY 11501

Date: September 22, 2014

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